

SEP 05 2008

DuaneMorris

DUANE MORRIS LLP

3200 SOUTHWEST FREEWAY, SUITE 3150

HOUSTON, TX 77027-7534

PHONE: 713.402.3900

FAX: 713.402.3901

FACSIMILE TRANSMITTAL SHEET

TO: USPTO Central Fax No.
US Patent and Trademark
Office

FACSIMILE NUMBER: 571.273.8300

CONFIRMATION TELEPHONE:

BPAI Hearings Fax No. 571.273.0299
Board of Patent Appeals and
Interferences

FROM: Tracie Thigpen

DIRECT DIAL: 713.402.3903

DATE: September 5, 2008

USER NUMBER: 1438

FILE NUMBER:

TOTAL # OF PAGES: 2
(INCLUDING COVERSHEET)

MESSAGE: Appeal No. 2008-1084
Bennett M. Richard, et al.
Application No. 10/695,205
Attached is the Confirmation of Hearing

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 713.402.3900.

Page 1

RECEIVED
CENTRAL FAX CENTER

SEP 05 2008



UNITED STATES PATENT AND TRADEMARK OFFICE

Board of Patent Appeals and Interferences

DUANE MORRIS LLP - HOUSTON
3200 SOUTHWEST FREEWAY
SUITE 3150
HOUSTON, TX 77027Appeal No: 2008-1084
Appellant: Bennett M. Richard et al.
Application No: 10/695,205
Hearing Room: A
Hearing Docket: B
Hearing Date: Thursday, October 23, 2008
Hearing Time: 09:00 AM
Location: Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (571) 273-8300

BPAI Mailing Address:

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. BOX 1450
Alexandria, Virginia 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: (X) HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date 9/5/08

Registration No. 30799

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
<http://www.uspto.gov/briefing/room-access-to-visit-historical-campus>